

Remarks/Arguments

The Examiner is thanked for the careful review of this Application. The Applicants further thank the Office for confirming the Applicants' interpretation in that the subject Office Action has erroneously been marked as an *Ex parte Quayle* Office Action.

Claims 1-20 are pending after entry of the present Amendment. Amendments were made to the claims to further clarify the inventions. The amendments do not introduce new matter.

Rejections under 35 U.S.C. section 103:

The Office has rejected claims 1-20 under U.S.C. 103(a), as being unpatentable over U.S. Patent No. 5,896,131 to Alexander further in view of the U.S. Patent No. 5,745,103 to Smith. For at least the following reasons, the combination of the cited prior art fails to raise a *prima facie* case of obviousness against the subject matter defined in amended independent claims 1, 8, and 15.

To arrive at the Office's conclusions, the Office has made several interpretations. First, citing to column 5, lines 65 through column 6 lines 35 of Smith, the Office has concluded:

Examiner interprets setting aside 20 colors out of the total of 256 colors for displaying element of operating system only to be permanently reserve and constantly maintain visual differentiation between reserved colors and non-reserved colors. [Emphasis added.]

The Applicants respectfully submit that the Office's interpretation is not consistent with the teachings of Smith. In fact, the teachings of Smith are exactly the opposite. The Applicants' interpretation is further supported by the excerpts of Smith cited by the Office. In pertinent parts, Smith provides:

All colors, in the optimal color palette, **including the system colors**, can be used to display graphic objects on the screen of the display monitor. [Emphasis added.]

Thus, in contrast to the Office's interpretation, Smith specifically teaches that any object, including the background of the GUI, can be displayed in the system colors. Accordingly, the Applicants respectfully request that the Office kindly withdraw the 103 rejections of the claims.

Second, the Office's interpretations as to the dark gray color and light gray color are contradictory. On pages 2 and 4 of the Office Action, the Office has interpreted that the light gray color is a reserved color. Thereafter, on pages 6 and 10, the Office has further interpreted that because the light gray color is not replaced, "it is inherent that the light gray color is mapped to the corresponding color" (i.e., the light gray color is a cross-platform compatible color). However, the light gray color taught in Alexander cannot be considered a reserved color as well as a cross-platform compatible color. Additionally, on pages 6 and 9, the Office has interpreted that the dark gray color is a reserved color. The light gray color and the dark gray color of Alexander cannot be considered to be reserved colors as the two colors have different functionalities in Alexander. Accordingly, the Applicants respectfully request that the rejections of the claims be withdrawn due to the inconsistent interpretations.

Furthermore, if Alexander were to be modified such that the dark gray color and the light gray color could both be considered reserved colors, the resulting system would render Alexander unsuitable for its intended purpose. For instance, if the light gray color as well as the dark gray color were to be considered reserved colors (i.e., colors used to switch between the foreground and background colors, as taught in Alexander), neither the dark gray color nor the light gray color could be displayed. Rather, the pixels having dark gray color and light gray color would be displayed in their respective colors in the background graphical image. In this manner, only the background graphical image is visible and not the GUI.

Additionally, the Applicants respectfully submit that even if Alexander and Smith were combinable (a proposition with which the Applicants disagree), the combination of the two references still fails to disclose, teach, or suggest to only use a reserved color to draw the dialog box boundary. Rather, the combination teaches the opposite.

For instance, in one embodiment of Alexander, the background graphical image is to be partially visible. To achieve such a task, alternate dark gray and light gray colors are defined in the checkerboard area. The latter is true irrespective of the pixel being defined in a GUI boundary (if any) or the GUI background. However, in Smith, the system colors in the optimal color palette can be used to display any object, including a GUI. Thus, if Alexander were to be modified using the teachings of Smith, the pixels having the reserved color (i.e., the colors being used for switching between the background and the foreground colors in Alexander) defined in the GUI boundary as well as the GUI background would be shown in reserved colors.

Additionally, in the combination, the GUI boundary in the checkerboard area includes light gray as well as dark gray color pixels. The dark gray color is supposed to be displayed in the color of the background image while the GUI boundary is displayed in light gray (cross-platform

compatible color) and reserved color, alternatively. The latter, however, does not disclose, teach, or suggest only using reserved color to draw the GUI boundary, as defined in the claimed invention.

The Applicant further submits that neither one of the cited art nor the combination of the cited prior art disclose, teach, or suggest all the features of the claimed invention. For instance, among other features, the Office has not demonstrated a prior art teaching or suggestion that only a reserved color is used to draw the boundary of the GUI, only selecting a reserved color when drawing the dialog box, or only selecting a cross-platform compatible color when drawing the dialog box background, as defined in the claimed invention.

Accordingly, amended independent claims 1, 8, and 15, and the respective dependent claims are respectfully submitted to be patentable under 35 U.S.C. section 103(a) over any combination of the cited prior art.

The Applicants respectfully submit that all of the pending claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 774-6913. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP009). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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